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Counsel for Plaintiff Plymouth County Retirement Association

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

PLYMOUTH COUNTY RETIREMENT
ASSOCIATION, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

OUTSET MEDICAL, INC.,
LESLIE TRIGG, REBECCA
CHAMBERS, and NABEEL AHMED,

Defendants.

Case No. 4:24-cv-07267-HSG

CLASS ACTION

**STIPULATION AND ORDER
VACATING DEADLINE TO
RESPOND TO INITIAL COMPLAINT
AND VACATING INITIAL CASE
MANAGEMENT CONFERENCE
AND RELATED DEADLINES
(as modified)**

1 WHEREAS, on October 18, 2024, Plaintiff Plymouth County Retirement Association
2 (“Plymouth County”) commenced the above-captioned action against Defendants Outset
3 Medical, Inc., Leslie Trigg, Rebecca Chambers, and Nabeel Ahmed, alleging violations of
4 Sections 10(b) and 20(a) of the Securities Exchange Act of 1934, as amended by the Private
5 Securities Litigation Reform Act of 1995 (the “PSLRA”) (ECF No. 1, the “Initial Complaint”);

6 WHEREAS, on October 28, 2024, the Court issued an Order scheduling an Initial Case
7 Management Conference for January 21, 2025 at 10:00 a.m., which prompted associated
8 deadlines pursuant to the Federal Rules of Civil Procedure, the Civil Local Rules, and the
9 Alternative Dispute Resolution Local Rules (see ECF No. 9);

10 WHEREAS, on October 28, 2024, Defendants executed waivers of service, setting their
11 deadline to respond to the Initial Complaint as December 23, 2024 (see ECF Nos. 10-13);

12 WHEREAS, on August 29, 2024, Chris Porcelli filed a complaint in this District against
13 Defendants Outset Medical, Inc., Leslie Trigg, and Nabeel Ahmed alleging similar claims,
14 captioned *Porcelli v. Outset Medical, Inc., et al.*, Case No. 5:24-cv-06124-EJD (the “*Porcelli*
15 *Action*”);

16 WHEREAS, the PSLRA provides a procedure for the appointment of lead plaintiff and
17 lead counsel, 15 U.S.C. § 78u-4(a)(3), and motions for appointment as lead plaintiff and
18 approval of lead counsel were to be filed in the *Porcelli Action* no later than October 28, 2024;

19 WHEREAS, Plymouth County, along with additional movant Sheet Metal Workers’
20 Pension Plan of Southern California, Nevada and Arizona (“SMW Pension Plan”), filed a
21 motion to be appointed lead plaintiff and for approval of lead counsel as well as to relate and
22 consolidate this action with the *Porcelli Action* (the “Motion”). The Motion is pending, and the
23 hearing is set for December 19, 2024;

24 WHEREAS, in light of the foregoing, the undersigned parties respectfully submit that, in
25 the interest of judicial economy, good cause exists to find that Defendants should not be
26 required to respond to a complaint in this case given the Motion pending in the *Porcelli Action*
27 and to vacate the Initial Case Management Conference and related deadlines;

1 NOW, THEREFORE, IT IS HEREBY STIPULATED, by and between the undersigned,
2 subject to Court approval, as follows:

- 3 1. Defendants need not respond to the Initial Complaint.
4 2. The Initial Case Management Conference set for December 5, 2024 at 10:00
5 a.m., and all associated deadlines, are vacated.

6 Dated: November 13, 2024

BERMAN TABACCO

7 By: /s/ Nicole Lavallee
8 Nicole Lavallee

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12 *Counsel for Plaintiff and the Proposed Class*

13 **SIDLEY AUSTIN LLP**

14 By: /s/ Jaime A. Bartlett
15 Jaime A. Bartlett

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19 *Counsel for Defendants Outset Medical, Inc.,
20 Leslie Trigg, Rebecca Chambers, and
21 Nabeel Ahmed*


22 **E-FILING ATTESTATION**

23 I, Nicole Lavallee, am the ECF User whose ID and password are being used to file this
24 document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that Jaime A. Bartlett
25 has concurred in this filing.
26

27 /s/ Nicole Lavallee
28 Nicole Lavallee

PURSUANT TO STIPULATION, IT IS SO ORDERED. The Initial Case Management Conference set for January 21, 2025 at 2:00 p.m., and all associated deadlines, are vacated.

DATED: 11/13/2024


HONORABLE HAYWOOD S. GILLIAM, JR.
UNITED STATES DISTRICT JUDGE